

STATE OF NEW-YORK.

No. 400.

IN ASSEMBLY,

May 2, 1839.

REPORT

Of the minority of the Select Committee in relation to removing the Capitol.

The undersigned, from the select committee to which was referred the petition of the inhabitants of Chautauque county, praying for the removal of the Capitol to the city of Utica, and to which was also referred the resolution of this House, that a select committee be appointed to inquire into the expediency of changing the location of the seat of Government of this State, and that they report thereon to this or the next House of Assembly,

REPORT:

The undersigned are well aware that no action upon the subject of this petition or resolution, can be had, without experiencing strong opposition on the part of the individuals residing in that section of the country, in which the Capitol is now placed. The advantages afforded to the particular place in which the Capitol, and the other public buildings are situated, are numerous, and no doubt are fully appreciated by the citizens of Albany. The great convenience and advantage also resulting from the immediate vicinity of the Comptroller's office, and the offices of the Secretary of State, Treasurer, and other State officers, where all taxes are to be paid, and all public business of every nature transacted, in addition to all legislative business, are probably well understood by the inhabitants of the county of Albany at large, and the inhabitants of other counties immediately contiguous. The benefits resulting from this location, have not inspired those enjoying them for a long lapse of years, with the disinterested opinion, that others should

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now participate with them in their enjoyments; much less that others should possess these benefits to their exclusion. On the contrary, it would seem that the long possession of these advantages by the inhabitants of Albany, has come to be looked upon, as giving them a right to their continued possession, and that any attempt to change them is an interference with, and an encroachment upon their rights. That selfishness, which is a part of our nature, may, to some extent, justify or at least excuse this tenacity. Those who are in possession of greater advantages than others, usually cling to them, till forcibly wrested from their grasp, and never relinquish them, until further contest is ascertained to be useless. While your committee find this excuse for opposition to any change on the part of those who are now best accommodated by the location of the public buildings, they do not receive it as a proper principle to control the action of the Legislature of this State. The blessings from our parent, the State, like the blessings of our Great Parent, above, should, as far as possible, descend equally and without partiality upon all. He sends his fertilizing dews upon all the earth, and his rains upon the just and the unjust; and no sordid avarice or grasping desire is permitted to direct their dispensation. The petition in this case, is signed by but a small number of inhabitants of the county of Chautauque, but it may be proper to observe, that in the years 1836, '7, '8, a very large number of petitions upon this subject, and comprising, it is believed, several thousand petitioners, were presented to the House. Through them the wishes of many of the western, northern and southern counties, upon this subject, have been strongly urged upon this Legislature.

They suppose it will not be disputed by any one, that the public buildings, if they were now required to be built for the first time, should be placed in that position which would afford the best accommodation to the greatest number of our citizens. Being the property of the State, and the State consisting of the individuals composing the body politic, it needs no argument in a republican community, to demonstrate that the majority of these individuals would be entitled to select the location of their capital. In this selection, each individual would give that decision most favorable to his own interests, and as the general result of individual preference determines the public voice and public interest, the majority would fix upon that point which would best subserve the interest or convenience of the majority of the people. The question therefore arises, is the present location such an one as would be fixed upon were the question now an original one; and if not, are there circumstances connected with the fact of an existing location at Albany,

of sufficient weight to retain the public buildings there, although they might not be placed there were an original location now to be made?

Upon the first branch of this question, the undersigned would take leave to say, that they suppose that selection of a site for the public buildings to be the most perfect one by which all the people of the State could be brought equally near to the seat of government. Indeed such a selection would abstractly, and if no other circumstances intervened, be a perfect one. Practically, that position could never be attained, and we therefore endeavor to ascertain what is the nearest approximation to this point of perfection. Practically, too, the means of approach to any place, its accessibility, would greatly influence a determination. A perfect centre of all the population, to which, however, no avenues existed, would be far inferior to an imperfect centre to which easy access existed from every quarter. That place, then, which was the nearest to the centre of population, and to which the most convenient avenues from the greatest part of the country existed, would seem to furnish the desired location for the seat of government of this State. Perhaps, too, in fixing upon such a location, a geographical centre should be sought, and the relative population, present and prospective, of the different portions of the State, should not be overlooked. Is the city of Albany, then, as near the centre of population and territory of the State as any other place of respectable size, to which equal avenues and means of approach exist? and will the future course of probable increase of population bring either and which of these places more near to the centre of population? Various places in the western part of the State have been designated as proper sites, among which are Utica, Syracuse and Auburn; and in making some statistical comparisons upon the question now proposed, between Albany and Utica, the committee intend to claim no preference for Utica over the other places mentioned. It will be time enough to fix the particular location after a removal shall be determined upon. The comparison is made between Utica and the present site, for the reason that calculations have already been made upon this basis, and are in the hands of the committee, which have not been made in the other cases.

It is stated in the petition, that according to the then apportionment of the members of the State Legislature, seventy-two members reside within one hundred miles of Utica, while only fifty-seven reside within the same distance of Albany. This shows a difference in favor of Utica of fifteen members. Forty-nine members of Assembly, at the present time, reside within the same distance of Utica, while but forty-one re-

side within that distance of Albany, making a difference of eight in favor of Utica. Of the county seats of the several counties of the State, thirty-four are nearer to Utica than Albany, and twenty nearer to Albany than Utica; here again giving a difference of fourteen counties in favor of Utica.

A statement of the distances of the county seats of the several counties from Utica and Albany, is said to give an aggregate distance in favor of Utica of more than eleven hundred miles. The number of acres in those counties nearer to Utica than Albany, is said to amount to 21,254,933, while the number of acres in the counties nearer to Albany than Utica, amounts to but 7,995,290, giving a difference in favor of Utica of 13,259,643, or nearly three to one.

From the census of 1835, the following list appears to furnish the number of members of Assembly and the population, with the number of improved acres, in the several counties named.

	Mem. Ass.	Pop.	Impr. acres.
Albany,	3	59,762	207,484
Clinton,	1	20,742	103,408
Columbia,	3	40,746	307,354
Delaware,	2	34,192	224,811
Dutchess,	3	50,704	305,702
Essex,	1	20,699	113,588
Franklin,	1	12,501	59,880
Greene,	2	30,173	174,841
Kings,	2	32,057	225,035
Montgomery,	2	46,705	296,802
Hamilton,		1,654	9,074
New-York,	13	270,089	4,482
Orange,	3	45,096	294,970
Putnam,	1	11,551	90,365
Queens,	1	25,130	129,539
Rensselaer,	3	55,515	263,324
Richmond,	1	7,691	21,266
Rockland,	1	9,696	62,120
Saratoga,	2	38,012	288,226
Schenectady,	1	16,230	78,197
Schoharie,	2	28,508	183,821
Suffolk,	2	28,274	168,049
Carried forward,			

	Mem. Ass.	Pop.	Impr. acres.
Brought forward,.....			
Sullivan,	1	13,755	50,677
Ulster,	2	39,960	185,056
Warren,	1	12,034	71,410
Washington,	2	39,326	308,536
Westchester,	2	38,790	255,465
	<u>58</u>	<u>1,029,592</u>	<u>4,483,482</u>

This population, and the people upon this improved territory, would be as well or better accommodated by the location of the Capitol at Albany than at Utica. The following counties would be better accommodated by its location at Utica.

	Mem. Ass.	Pop.	Impr. acres.
Allegany,	2	35,214	139,329
Broome,	1	20,190	93,760
Cattaraugus,	2	24,986	87,576
Cayuga,	3	49,202	257,669
Chautauque,	3	44,869	167,134
Chemung,	1	17,465	71,742
Chenango,	3	40,762	248,566
Cortland,	2	24,168	188,859
Erie,	3	57,594	162,894
Genesee,	4	58,588	305,488
Herkimer,	2	36,201	226,036
Jefferson,	3	53,088	258,348
Lewis,	1	16,093	86,150
Livingston,	2	31,092	177,531
Madison,	3	41,741	223,147
Monroe,	3	58,085	229,357
Niagara,	2	26,490	98,334
Oneida,	4	77,518	300,687
Onondaga,	4	60,998	270,330
Ontario,	3	40,870	231,679
Orleans,	1	22,893	117,585
Oswego,	2	38,245	110,186
Otsego,	3	50,428	341,483
Seneca,	1	22,627	131,648
Carried forward,.....			

	Mem. Ass.	Pop.	Impr. acres.
Brought forward,.....			
St. Lawrence,	2	42,047	151,483
Steuben,	3	41,435	183,776
Tioga,	1	16,534	67,977
Tompkins,.....	2	38,008	186,180
Wayne,.....	2	37,788	153,530
Yates,	1	19,796	115,972
	<hr/> 69	<hr/> 1,144,925	<hr/> 5,384,440
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This statement shows that at the present time the location of the Capitol at Albany will best accommodate that portion of the State, allowing to Albany all Montgomery, Hamilton and Fulton, (which in truth are nearly equi distant from Albany and Utica,) which contains a population of 1,029,592, and of improved acres of land of 4,483,482, and which sends members of Assembly to the number of fifty-eight. A location at Utica would best accommodate a portion of the State containing a population of 1,441,925, and comprising acres of improved land to the extent of 5,384,440, and sending sixty-nine members of Assembly. This gives in favor of Utica a difference of 115,333 inhabitants, who would be better accommodated there than at Albany. It also shows in favor of Utica an extent of territory comprising 900,958 acres of improved land, which would receive advantage from the change, more than are benefitted by the present location. It is plain also, that eleven more members of Assembly could more readily arrive at the seat of Government at Utica than can do so at Albany. No census having been taken since 1835, the committee have taken the returns of that year as the basis of their calculations, but justice to the west, and a full statement of the difference would require a large addition in favor of the west. The population of most of the western counties has increased with wonderful rapidity since 1830; while at the east, with the exception of the city of New-York, the increase has been trifling, and in some counties the population actually decreased from 1830 to 1835, and probably continues to do so to the present time. The counties of Saratoga, Washington, Dutchess, Orange and Putnam, severally exhibit a decreased population in the last five years previous to 1835, and the county of Columbia shows but the small increase of 794, the county of Delaware but 1,259, the county of Richmond of but 607, the county of Rockland of but 308, the County of Schoharie of 598, and the county of Warren of but 308, in the same five years; while the counties of

Allegany, Cattaraugus, Chautauque, Erie, Genesee, Livingston, Monroe, Niagara, Oneida, Steuben, and many others at the west, exhibit a much larger increase during the same period.

Adapted, as the western part of the State is, to a very great extent, to the raising of grain, it will support a greater population than the grazing lands of the east. The latter may be as rich and as sound, but less labor is required in their cultivation, and their perfection and high improvement seem to be productive rather of a diminution than an increase of population. It is believed, therefore, that the census of 1840, and that of 1845, will exhibit a much greater difference in population in favor of the west than is now shown. So far as the various avenues to the different places under consideration are concerned, both are abundantly furnished with the means of approach. Albany, situated upon the Hudson river, with the Mohawk and Hudson rail-road extending westerly, and the eastern rail-road in contemplation, is accessible, easily and readily in every direction. Utica, also, is central in its position, and has her fair share of all the improvements of the day. With the Erie canal, the Chenango canal here terminating, the Utica and Schenectady rail-road in full and successful operation, the Syracuse and Utica rail-road to be completed in three months, the Utica and Susquehannah rail-road to unite with the New-York and Erie when the latter shall be built, the Utica and Oswego rail-road connecting with the north, and her turnpikes and McAdam roads, Utica is certainly upon an equality with the present seat of government. By these roads the traveller may now leave New-York at five o'clock in the evening, and spending some hours in Albany by the way, be at Utica in season for an early dinner the following day; or he may leave Utica at nine o'clock in the evening and be in New-York the next day in time to transact business before evening. By the lines in progress, and some of them nearly completed, Utica and Buffalo will be brought within sixteen hours easy travelling of each other, and all intermediate places in a proportionate time. The Catskill and Canajoharie rail-road, though at a distance from Utica, and within a few miles of Albany, will furnish greater facilities to the inhabitants of Greene, Delaware, and the adjacent counties, to reach Utica than Albany. No convenient mode of approach from those counties to Albany now exists in the winter, when the Hudson is closed, while the rail-road from Catskill to Canajoharie will at all times furnish a convenient mode of arriving at the latter place, whence the Utica and Schenectady rail-road will take the traveller to Utica in less than

three hours. In the convenience and number of its means of approach and departure, it is clear that Utica is equal to any place in the State.

From the previous statements, and as the facts now existing show the case to be, there would seem to be no propriety in selecting Albany as the seat of government of this State, were an original location now to be made. It is not the nearest point of respectable size to the centre of population, or improved and cultivated land; but on the contrary, the city with which we have compared it is eleven hundred miles nearer to all the county seats of the State than Albany, contains nearer to it than does Albany to itself, nearly a million of acres of improved land, and is at less distance from the residences of a larger number of the members of the Legislature than Albany. Neither is Albany the more accessible place, or more convenient of approach; for while nature has almost surpassed herself in the formation of the noble river on which Albany stands, the ornament and wealth of the State, the art of man has shown itself of equal capacity in the works of internal improvement, with which Utica is at all points pierced and surrounded.—They have already been enumerated, and it is here necessary but to allude to them.

Are there then any peculiar circumstances connected with the location of the seat of government at Albany, that should retain it there, it confessedly not being the proper place for such location? Your committee are aware of but one reason why the present situation should not be changed, and this arises from the investments by the State in the public buildings now placed at Albany. The amount of money spent by the State in the erection of the Capitol, public offices, and the purchase of the other property owned by the State in Albany, furnishes the only substantial reason which the committee are able to appreciate, why no change of the seat of government should be made. The habit indeed of attending to all public business at Albany,—in other words, the antiquity of the present site,—may supply another reason against any change; but of this, the committee are not able to feel the full force. They suppose that if the convenience and interest of a large portion of our fellow-citizens can be greatly promoted by a change, it will be an unsatisfactory answer upon a denial of these advantages to say, that they had not hitherto been accustomed to them, or that they had suffered so long under inconvenience and expense, that it was supposed that they would be unwilling to relieve themselves from these burdens. The good sense of the people of the State could not for a moment entertain so absurd a proposition; and the committee will con-

fine their remarks to the objection of investment by the State in the public buildings now at Albany. The argument of antiquity is in this country a feeble one, and it is thought justly so. It admits and presupposes the absence of substantial argument. The public property consists of the Capitol itself, the old building on State-street built and used for the State offices, the new one in the course of erection for the same purpose, and the residence purchased for the Governor. The undersigned are not aware of any other property in the city of Albany or its vicinity, making a part of what may be properly called the public buildings, that is owned by the State. As they now stand, this property may perhaps be estimated as follows:

Capitol,	\$100,000
Old State offices,	20,000
New State offices,	150,000
Governor's residence,	19,000
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Making a total of	\$289,000
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Calling the real property of the State in Albany, in round numbers, \$300,000, or even \$500,000, it is believed, that if the convenience of the people of this State would be effectually promoted, or their interests permanently advanced, by changing the seat of government, the total loss of this amount of property would form no valid objection to such a change. The Empire State, containing, according to the assessment rolls, her five hundred millions in value of real estate, and her one hundred and twenty-five millions of personal, (and in actual value probably equal together to twelve hundred millions of dollars,) may gratify its wishes and consult its convenience at the sacrifice of this amount of money, without incurring the charge of prodigality or extravagance. What would be wastefulness or improvidence in a smaller or poorer power, would in her be a just tribute to the wealth, the convenience, and the happiness of her citizens. It is believed, however, that there need not be a total sacrifice of this property, in consequence of a change of the seat of government, nor necessarily any very considerable loss upon it. The Capitol might, perhaps, be disposed of for a very fair price, to some literary or medical college, or some other general institution, requiring the possession of a large building or large rooms. Or if the manner of its arrangement forbids such an use of it, it is suggested that the entire building could be taken down. In this event, the materials of which it is composed could be sold for a large sum, and the State would then be in the possession of a large and beautiful park, unincum-

bered with any buildings whatever, if, as the committee suppose, the fee simple is in the State. The liberal and public spirited citizens of Albany, would probable deem the possession and public use of this park a right which they ought to possess, and enjoy, and would doubtless be willing to purchase it of the State at its fair value. If, however, we are deceived in the public spirit and liberality of the citizens of Albany, and it can be supposed that they would decline the purchase, then the State would be left in the possession of a large number of beautiful building lots, surpassed in location by none in Albany; and it is believed there would be no lack of purchasers of these lots, at such a price as should give to the State a full compensation for their property. If, however, the fee of the park is not in the State, this suggestion could not of course be carried out, and a larger loss would be incurred, in the event of the inability of the State to sell the property as it now stands.

While upon this branch of the subject, it may also be mentioned, as a set off to any loss that might possibly accrue, that the present Capitol is very inconvenient, and in some respects unfit for the Capitol of the State of New-York. Without stopping to remark upon its total want of beauty and elegance, we would call the attention of the House, to the smallness and great inconvenience of the Senate Chamber. A more inconvenient and illy arranged place for the deliberation of the 32 Hon. Senators of the State of New-York, could scarcely be found, as will be readily admitted by all who have reflected for a moment upon the subject. The Assembly Chamber too, is much too small for the proper comfort and convenience of the members. The committee would also mention the remarkable fact, that in the construction of the Capitol, no provision whatever was made for committee rooms, and to the present time there has not been, and is not now, a single committee room connected with or near the Capitol. Those having business before committees, are obliged to attend at the private rooms of the members of the House, or at the Assembly Chamber. In the former case, those who were not upon amicable terms with the chairman of the committee, would feel an unwillingness to attend at his private rooms. The members of the House, too, would then be effectually prevented from attending the deliberations of any committee, and understanding their proceedings. The right of all the members of the House to attend meetings of all the committees, is equal to their right to attend the meetings of the House itself, and in many cases may be important to be exercised. In the latter case, (of the committees meeting in the Assembly Chamber,) the inconvenience arising from a number of com-

mittees being in session at the same time, and in the same room, will be readily appreciated. The practical difficulty arising from this source has been often experienced during the present session, and in the judgment of the undersigned, it detracts very seriously from the value of the present building. To remedy it, extensive alterations and additions, at no trifling expense to the State, would be necessary. So inconvenient and unfit for the use has the Senate Chamber been found, that a bill is now before the Senate, providing that the Supreme Court room shall be used as the Senate Chamber, though that room is upon the second floor, inconvenient of access, and not in itself particularly well fitted for the meetings of the Senate.

It is thought that the circumstance of the inconvenience of the present Capitol would counterbalance a very considerable sacrifice of money for the erection of a new one. Some difficulty might also be experienced in disposing, to good advantage, of the new State Hall, arising from its peculiar construction. The steady growth however of the city of Albany, its increasing population and extending business, will, before long, probably require additional erections for the accommodation of its public offices, and none could be found more suitable for their purpose than the new State Hall. Should any new institutions of importance spring into existence in the vicinity of Albany, of a literary, religious or medical character, a building like this one, alone or in connexion with the Capitol, as might be required, would be well adapted to their use. The value of this building, when to be completed, is estimated at a large sum. It should, however, be borne in mind that it is not the money of the State, but the labor of prison convicts, that has erected the work. The building is of Sing-Sing marble, prepared at the Mount-Pleasant prison, and at a comparatively small expense to the State, and forwarded thence to Albany. As to the other buildings mentioned, to wit, the old State Offices and Governor's residence, we have only to say, that they could probably be sold at any time for nearly or quite their full value; and whatever loss would occur from the sale of the former will be soon incurred, if no change takes place, as it is proposed to abandon it entirely for the new one, of which mention has been made.

Should there be a great scrupulousness about losing any money by a change of the location of the seat of government, the undersigned would suggest that the purchase of a few more acres than would be needed in the new location, and the subsequent sale of them, at a greatly enhanced price, in consequence of their close vicinity to the public buildings, would more than compensate for any such loss. They, however, are

of the opinion that a speculation in land, on the part of the State, to retrieve a trifling loss, would be unworthy the dignity and honor of the State of New-York. Wherever the convenience and interests of the people require the position of the public buildings, there they should be placed, even at the hazard of pecuniary loss.

The undersigned have before endeavored to show that the interests of the State would not require or justify a location of the public buildings at Albany, were the question an original one, and they have now attempted to show that there are no peculiar circumstances existing to require their continuance at that place. They, therefore, as a minority of the committee, submit to the consideration of the House the following resolution:

Resolved, That it is expedient to change the location of the seat of government of this State.

WARD HUNT,
J. P. COUCH.

No. 401.

IN ASSEMBLY,

May 2, 1839.

REPORT

Of a minority of the select committee, on the petition and resolution relative to the removal of the seat of government of this State.

Mr. Davis, from a minority of the select committee, to which was referred the petition of fifty-six inhabitants of the county of Chautauque, praying for the removal of the Capital from the city of Albany to the city of Utica; and also, the resolution of this House, that a select committee be appointed to inquire into the expediency of changing the location of the seat of government of this State, and requiring that they report thereon to this or the next House of Assembly,

REPORTS:

That the attention of the Legislature has been invited to the subject of removing the Capital of the State from Albany to Utica, by a petition emanating from fifty-six citizens, residing in the county of Chautauque. The memorialists represent, "that the recent census of the State establishes the fact that a large majority of its citizens are residents of that portion of it which lies west of the city of Albany," and they are of opinion that the Capital of the State, with the public offices, ordinarily attached to it, should be located as nearly as circumstances will permit, in the centre of population and territory, and they designate Utica as the place, combining the advantages of a territorial centre, and the centre of population. They also represent that of the members of the Legislature; seventy-two reside within one hundred miles of Utica, while only fifty-seven reside within the same distance of Albany. They allude to the great arteries of communication which they say must, from necessity or expediency, pass through the city of Utica, and argue that the facilities

of communication which rail-roads and canals afford, render Utica as convenient a place as Albany for the location of the seat of government; and in addition to rail-roads and canals, they represent that various turnpikes terminate at, or pass through Utica, affording, as the memorialists believe, an ease of access from the various sections of the State, which now, and in all future time, will be unsurpassed. For these reasons, among others, they ask for the removal of the Capital from Albany to Utica.

A glance at the map of this State will show, that thirty-one of the fifty-seven counties lie east, northeast and southeast of the city of Utica; and an examination of the last census will prove, that those counties contain more than half of the population of the State. The city of Albany lies near the eastern boundary of the State, and the statement of the memorialists that a large majority of the citizens of the State reside in that portion of it west of Albany, is true; but they do not allude to the fact, that it is nearly as far from the county of Suffolk to the city of Albany, as from the city of Albany to Chautauque; nor do they allude to the fact that a large proportion of the population of the State, including the immense population of the city and county of New-York, reside north, east and south of Albany, and nearer to it than to the city of Utica.

The thirty-one counties above referred to, are

	Population.
Suffolk,	28,274
Queens,	25,130
Kings,	32,057
Richmond,	7,691
New-York,	270,089
Westchester,	38,790
Rockland,	9,696
Orange,	45,096
Putnam,	11,551
Dutchess,	50,704
Sullivan,	13,755
Ulster,	39,960
Delaware,	34,192
Greene,	30,173
Columbia,	40,746
Schoharie,	28,508

Carried forward,

Brought forward,.....	
Albany,	59,762
Rensselaer,	55,515
Schenectady,	16,230
Montgomery,	25,108
Fulton,	21,265
Saratoga,	38,012
Washington,	39,326
Essex,	20,699
Clinton,	20,742
Franklin,	12,501
Hamilton,	1,644
Herkimer,	36,201
St. Lawrence,	42,047
Warren,	12,034
Otsego,	50,428

Making a total of, 1,147,926, or more than half of the population of the State; all of whom are better, or at least as well, accommodated by the location of the capital at Albany as they would be if it were removed to Utica; and the facilities of communication from the other counties of this State are such, as not to render the location of the capital at Albany a serious inconvenience to the inhabitants of those counties.

Under the present apportionment of members of the Legislature, the number of members representing the thirty-one counties above mentioned, is sixty-six, being more than half of the whole number of representatives in the Assembly. The subject of the petition is one in which every section of the State is interested, and should not be acted upon without mature deliberation. The committee to which the subject was referred, have been called together only within the last few days, although the subject was referred to them at an early period in the session. They have not been able to agree upon a unanimous report, and a minority of the committee submit the following as some of the reasons which have induced to the conclusion to which they have arrived.

It is proposed by the memorialists to innovate upon a long established institution of this State, by removing its political capital. The citizens, not only of Albany, but of the State at large, it is believed will be aggrieved, instead of being benefitted by such a change. The seat

of government has been established at Albany for more than forty years, and until within a short period no complaint has been heard from any portion of the State against this long standing and generally convenient establishment. Within a short time past, however, contrary to general expectation, suggestions have been heard, asking for a change; and Utica is pointed out as the most central spot on which to establish the political metropolis of the State for the future. This call for a change in the position of the capital, is believed to be made by a very few only beyond Utica and her vicinity; and the principal argument advanced in favor of the proposed innovation is, that Utica is nearer than Albany to the centre of territory and population, and therefore the seat of government ought to be at that place.

There would be some plausibility in this argument, if Albany were so far, in any direction from the centre of the State, as to occasion any serious inconvenience to those citizens who have business to transact, periodically or casually, with the executive and legislative departments at the seat of government; but this is not the case. The memorial from Chautauque county proves this assumption. The memorialists repose their main, if not only argument, in favor of the change proposed, upon the fact, that "of the members of the State Legislature, seventy-two members reside within one hundred miles of Utica, while only fifty-seven reside within the same distance of Albany." The difference here suggested between seventy-two and fifty-seven, it is apprehended, is too small to found an argument upon; as it admits that but a small fraction over one-fifth part of the population are supposed to be aggrieved by the present location of the capital; and the probability is, without resorting to a minute calculation, that all the inconvenience that will ever result to this small proportion of the population of the State, from the present location of the executive and legislative departments of the government, will be far more than counterbalanced by the saving to the State of the heavy expenses which must be incurred if the seat of government be removed. In the first place, the State would suffer a loss of at least fifty per cent upon the enormous amount which her Capitol and her State houses, erected in Albany, have cost; and to this great loss, which would, in the opinion of some of the committee, amount to nearly a quarter of a million of dollars, would be added the same enormous amount, and perhaps more, for the erection of a new Capitol and a new State house at Utica. The debt already created by the State for existing improvements, and the additions which will be required for others now in the progress of construction, and also for those works which are contemplated and loudly called for, will for some time to come bur-

then the State sufficiently, without adding to their weight, by incurring this unnecessary expense.

It is deemed that this brief and limited view will be sufficient to satisfy candid minds, that the inconvenience complained of, is rather imaginary than real. The petition referred to the committee is signed by a few citizens of Chautauque county, but it is reasonable to suppose that it originated at Utica, which place is the most deeply interested in having the capital removed there. Conflicting interests, we are well aware, will always have more or less weight in producing rivalships or jealousies between cities of the same State, or States of the same confederation. Our own history, whether of the Union or the separate States, has furnished ample proof of this position, without seeking abroad for examples.

It is not our intention, nor do we mean to charge the petitioners or the citizens of Utica with possessing more cupidity or selfishness than belongs to mankind in common; but as the general welfare of the State, admitting the argument of the petitioners, would receive but a very slight, if any, real accession by the removal of the seat of government to Utica, it is reasonable to suppose that the advantages expected by Utica alone have prompted her activity in promoting this measure, although her citizens have not placed themselves in the attitude of petitioners. This, however, is natural, and therefore excusable.

But let us for a moment reflect on the question of centrality, upon which the petitioners base their argument for the measure proposed. If we do so, we shall perceive that there is a centre of territory and population, and a centre or theatre of business in this, and in all other States; and hence the question presents itself, which of these centres offers the best location for the seat of government? It is believed that so far as facilities are to be afforded the citizens for transacting affairs with the government, the centre of business is to be preferred to the centre of territory and population; because where the principal business of a State, (by which is meant its commercial and trading pursuits,) is mostly concentrated, there will be found, at nearly all times of the year, the greatest congregation of citizens from all parts of the interior. Now it is certain, that although the city of New-York is the commercial metropolis, it is not the commercial centre; for that is, and must ever continue to be, the city of Albany. New-York is at once the great inlet and outlet of foreign trade and commerce; and from her great importations, commands a large portion of the interior trade; but

Albany being at the head of our river navigation, not only all the importations of New-York, that find their way into the interior, north and west of Albany, but most of her exportations must stop here for reshipment on the Erie and Champlain canal, or the Hudson river, as on the one hand they come up, and on the other go down. These circumstances alone congregate a larger portion of citizens at Albany from the interior of the State, during nine months in the year, than is to be found at any time, even when the courts are sitting, at any other place within her borders, the city of New-York, perhaps, excepted. Among these will be found many of those who have business to transact with the government, brought hither, too, by other business besides that which they have with the government; and when this is not the case, they may act as agents in transacting any business with which they may be entrusted. In this view of the subject, it will in most cases perhaps, at least in nine out of ten, be more convenient for a citizen who has business with the government, to come to Albany, or employ the agency of a neighbor who is coming, than to stop at Utica.

Experience has indeed shown that the centre of territory and population has rarely, if ever, been the centre of business, or the spot through which the greatest number of the citizens have had occasion to pass, or to stop for the transaction of business. There is a natural law in these cases, which has hitherto operated uniformly and universally. By this law the centre or mart of business in any State, is almost invariably by the side of the ocean, where a good harbor presents itself, or along the borders, or at the head of tide water of its navigable bays or rivers. This seems ever to have been the natural law of trade and commerce. Hence these are the points at which the greatest number of citizens reside; and these also are the points to which the greatest number resort for the transaction of business, at various seasons of the year from the interior; and hence, again, these have generally been the locations at which to establish the seats of government and the principal offices of the State. A view of the map of the United States will show that but a small portion of our sister States have established their seats of government at the centre of territory and population. On the contrary, they have followed the natural law of location indicated by the facilities of trade and commerce derived from vicinity to the ocean or its bays; to navigable rivers or inland seas or lakes. In *Maine*, the seat of government is at Augusta, on the Kennebec river, in the southwestern part of the State, and vessels of 100 tons burthen navigate the river to the capital; in *New-Hampshire*, at Concord, situated on the Merrimack river, distant forty-three miles from Portsmouth, the south-

eastern part of the State; in Massachusetts, at Boston, on the seaboard, and at the eastern extremity of the State; in Rhode-Island, at Newport, the southern extremity, and also on the sea-board; in Connecticut, at New-Haven and Hartford, one of which is on Long-Island Sound, and the other on Connecticut river; in New-Jersey, at Trenton, on the Delaware river, and in the western part of the State. Many other examples might be adduced, as the capitals of Pennsylvania, Virginia, Kentucky, Louisiana, Michigan, Alabama, Vermont, &c. &c. to prove that but few of our sister States have established their seats of government at the centre of territory and population. These facts, indeed, with but slight deviations, will apply to nearly all the commercial cities in the world.

The city of Washington was established more or less on political grounds, of which the principal ground was to perpetuate the name and fame of our revolutionary patriarch, and at the same time to gratify his feelings, inasmuch as the site was one which he had pointed out, and for which he entertained a strong partiality; yet its vicinity to a navigable river was not lost sight of by its immortal founder. It is not in the centre of the territory and population of the United States, yet may we not venture the prediction, that so long as the memory of Washington is cherished by his country, so long will the Capitol of the United States remain where it now stands?

The argument which the petitioners found on, the effects expected to flow from the numerous rail-roads and turnpikes, to which they allude as the "great arteries of communication" between the people of the State and their capital, is a self-destroying argument; for it goes to prove that the city of Albany is a more favorable position for the seat of government than Utica; as it is well known that all these "great arteries of communication" commence, or terminate, at Albany, while they merely *pass through* Utica. And it is also well known, that the city of Albany is one mail-day nearer to the capital of the Union, than Utica; which is an important consideration at all times, and particularly during the sessions of the Legislature.

Having noticed the argument derived from centralism, it may be asked, why it is that in almost every nation of the known world it seems to have been the established policy, when once the location of its capital was fixed, never to change it, except for extraordinary reasons.—The reason is perhaps obvious: From the foundation of every nation, through every stage of its existence, its capital has been necessarily so intimately connected with its history, its prosperity and fame, that to

change its location would confuse the one and endanger the others.—Hence Rome continued the capital of the whole Empire for more than a thousand years; and of the Western Empire till it was dissolved, though its location was far from the geographical centre: and where, may we ask, have we ever heard of a proposition for removing any one of the great capitals of Europe now existing? London remains the capital of Great-Britain, as it was in the days of Julius Cæsar, although it is far from the geographical centre. So also of every other European capital, and especially the greatest ones, as Paris, Vienna, Berlin, Edinburgh, Dublin, Amsterdam, Constantinople and St. Petersburg. The latter has not always been the capital of the Russian Empire, but it has been since the total destruction of Moscow, and the reason for the change of the location of that capital is familiar to all acquainted with the history of the present century. The others all remain as at first established; and the honest pride of each nation has thus far perpetuated them, and will doubtless continue to perpetuate them to the latest generations, even should the principles of democracy overturn their thrones and establish in their stead the sovereignty of the people.

Since, then, Albany has been the seat of our State government for upwards of forty years, previous to which time it was vascillating between New-York and Poughkeepsie, Kingston and Albany; since the State has incurred enormous expenses in building the Capitol and State houses here; since it is the most convenient spot for all parties concerned, whether the administrators of the government, or the people themselves; since the Corporation of Albany granted the State the land on which the Capitol and one of the State halls have been erected, in the just expectation that the seat of government would never be changed: And, finally, since the seat of government for the State was here established by the wisdom of such men as John Jay, Robert R. Livingston, George Clinton, Simeon De Witt, John Taylor, and their fellow laborers in the revolution—men whose sagacity and foresight embraced all future prospects and contingencies of the State,—there is not, and it is apprehended there cannot be, a solitary substantial reason for changing the location for that of Utica, or any other place.

We are not blindly superstitious in our admiration of ancient institutions; though all must acknowledge that antiquity is not without its charms in the eye, even of the man of ordinary intellect, as well as the poet and the philosopher. Ancient objects or institutions are connected so intimately, in most cases, with ancient history, both written and traditional, that they rarely fail to have a good mental and moral effect

upon all who contemplate them. The modern Greek who passes Thermopylae or Salamis, feels his soul enlivened by refreshing sentiments: And the American, in all times to come, will view with the same delightful emotions, the tombs of Washington and Warren, at Mount Vernon and Bunker's Hill. These and a thousand other objects associated in the mind's eye, with our glorious struggles for liberty and our country, both with civilized and savage foes, will ever contribute to awaken and keep alive in the hearts of our countrymen, the most pure and elevated moral and political feelings.

In this country we are, perhaps, too fond of innovating, if not of destructive principles. Scarcely an antiquated church—State house, or private domicile, can be suffered to stand in our cities. Scarce an antiquated tree of the forest, whose trunk has stood firmly rooted and whose branches have waved triumphant and unhurt amid a thousand storms, can escape the axe of the destroyer. All other countries but ours possess antiquated features of moral sublimity or artificial grandeur, which they would shrink with a laudable enthusiasm from desecrating or obliterating. Shall we not then endeavor to imitate them in this noble feeling? Shall we not show our respect for their example in the question now presented to us? If we are desirous of imitating their noble examples,—if we entertain a respect for the feelings by which they were actuated, Albany will remain the capital of our great and growing State. Its noble and ornamental structures, which have been erected for public purposes, will not be transferred to other and less important uses. But Albany, as she has been distinguished for more than forty years as the capital of a State, whose fame is not confined to this side of the Atlantic, but has reached the Mediterranean and the Euxine, the Baltic and the Indian ocean, will be perpetuated as such, and remain the pride of New-York.

A majority of the committee have arrived at the conclusion, that the prayer of the petitioners ought not to be granted. The committee, being equally divided, could not agree to a report on the resolution submitted to them; but a minority of the committee entertaining the views and sentiments above expressed, respectfully submit, for the consideration of the House, the following resolution:

Resolved, That it is inexpedient to change the location of the seat of government of this State.

JOHN DAVIS,
PETER B. PORTER, JR.
ISAAC JACKSON.

No. 402.

IN ASSEMBLY,

May 4, 1839.

REPORT

Of a minority of the select committee on the petition and resolution to remove the State Capital.

Mr. McElrath, from the select committee to which was referred the petition of sundry citizens of Chautauque county, praying for the removal of the capital of the State to Utica; and to which was also referred the resolution of the Assembly, "to inquire into the expediency of changing the location of the seat of government of this State,"

REPORTS:

It could hardly have been expected that on a subject of this nature, a committee composed of eight persons selected from each of the Senate districts of the State, would be able to agree in all the particulars which are embraced by the subject submitted for their examination. On the first branch of the question, however, the removal of the capital to Utica, the committee were able to agree to a majority vote, but on the other branch of the subject they could not agree, and the undersigned would therefore ask permission to submit their views thereon in the form of a minority report.

The memorialists set forth in their petition "that the last census of the State establishes the fact that a large majority of its citizens are residents of that portion of it which lies west of the city of Albany," and that in "their opinion the capital of the State, with the public offices ordinarily attached to it, should be located, as nearly as circumstances will permit, in the centre of population and territory." This opinion the petitioners think is sustained, and "believe to be evident, from the usage of the neighboring States;" and they add, that in "looking

through the limits of New-York for a point which will best secure the combined advantages of a territorial centre, and the centre of population, they feel persuaded that no spot can compete with the city of Utica."

The minority of your committee entertain great respect for the opinions of the fifty-six inhabitants of Chautauque county whose names are signed to the petition now under their consideration, and they feel bound to give the views of these petitioners a careful and attentive examination.

The first point urged by the petitioners in favor of removing to Utica, is that the capital and public offices should be located in the centre of population and territory. In the opinion of your committee, this proposition unconnected with other considerations having reference to ultimate and general advantages, is entirely erroneous. It is not questioned, however, that all other things being equal, the central points of population and territory might well control the location of the State capital. But there are many and various other public considerations to be taken into account, and many local reasons which induce a departure from this principle. The business of legislation is confined to a comparatively small proportion of our citizens. Not one person out of five hundred has personally any thing more to do at the capital of the State than he has at the capital of the Chinese empire. It is true all our citizens are interested in legislation so far as good laws are concerned, but it is a matter of perfect indifference to them whether these laws shall be enacted in the centre or in the extremities of the State. In fixing upon the seat of government, the general interests of the whole State must be regarded, and the point at which the greatest amount of business is affected by legislation must be viewed as a controlling cause in its location. Under any circumstances the mere relative position of numbers cannot be considered the only reason for the central establishment of public or legislative business. Those sections of the State requiring the most frequent reference to, and general application of, public laws; those embracing the greatest interests of the State, and which are most intimately connected with the General and other State governments, should always have the easiest access to the seat of government. This argument of central location, is in fact the only one which can be seriously urged in favor of the removal to any point west of Albany. But your committee are of opinion that, viewing the subject in its proper light, the centre of business, the centre of trade and of commerce, the source and centre of information, the centre of the money

market, the centre of action, are all reasons which suggest themselves as of much greater importance to the true interests of a great State like New-York, than barely the consideration of a geographical centre.

It was once the custom of some of the nations of the old world, to require the consent of all the members of the community to any of their laws, and for this purpose they congregated in an open field or plain, to consult upon the business which concerned the peace of the kingdom. In such cases, a central field or plain was usually selected; but afterwards when the people saw proper to delegate these powers to representatives, the centre of trade and of commerce was fixed upon as the place of meeting, and the territorial centre was never afterwards thought of.

A central locality has frequently been urged in fixing the site for the public buildings in counties; and there certainly appears to be force in this argument in reference to county seats. Here all the citizens of the county are immediately and directly interested. Every man is summoned as a juror or a witness, or is a suitor in the county courts, and has more or less business with the public offices. It is right and proper, therefore, that his convenience should be consulted in the location of the county buildings. But even here the true interests of many of the counties of this State have been sacrificed by too strict an adherence to this principle. Numerous instances could be adduced where the county seats have been fixed at or near the geographical centre of the county, instead of adopting the obviously natural and superior position which presented itself at points somewhat remote from the centre. But this notion of centrality in fixing county seats is by no means universal. The county seat for the county of Albany for instance, is very far from its centre, but does any one suppose that it would be to the interests of the county to remove its public buildings to a more central point? The same too may be asked of Dutchess, Ulster, Greene, Erie, Monroe, Oneida, and many other counties in the State, where a more enlarged and statesmanlike view of the subject appears to have influenced the choice of the site for its public offices. If this principle of territorial centre will not in all cases hold good in reference to counties, how much less will it be regarded in its application to the State?

But the petitioners say that their opinion is sustained, and is "evident from the usage of the neighboring States." To this your committee would simply remark, that usage in other States would hardly be regarded as of sufficient weight with the people of the State of New-

York to induce them to act in violation of public interest, public convenience, public sentiment and enlightened reason. Besides, the petitioners appear to have fallen into an error as to the "usages of other States." Massachusetts for instance, could not have had the geographical centre of the State in view when her capital was located. Nor could it have been this principle which actuated and controlled in fixing the location of the capitals of Maine, New-Hampshire, Rhode-Island, Vermont, Connecticut, Maryland, New-Jersey, Pennsylvania, Virginia, Louisiana, Kentucky, and several of the other States in the Union.

The petitioners next go on to say, that in "looking through the limits of New-York for a point which will best secure the combined advantages of a territorial centre and the centre of population, they feel persuaded that no spot can compete with the city of Utica." The undersigned does not think it important to inquire whether any other town in the State might enter as a competitor with Utica for the "centre of territory and population." It is not impossible that upon a strict measurement and an accurate census the central point might be ascertained to be at or near the place designated by the petitioners; but this is by no means certain, and it appears somewhat remarkable that the petitioners, in "looking through the whole limits of New-York," did not discover that Rome, Fonda, Syracuse or Auburn might possibly lay as just claims to this centre of territory and population as the city of Utica.

The next reason urged by the petitioners for removing the capital to to Utica is, "that within its limits and its immediate neighborhood are literary institutions, which will afford ample means of education for the families of our public officers, whose duties require a residence at the capital;" and the petitioners add, that the "abundance of its agricultural productions offers an additional inducement in the cheapness of living." The minority of your committee are deeply impressed with the importance of affording "ample means for the education of the families of public officers of the State," but they have yet to learn that there is any want of means of instruction at the present capital, or that the city of Utica possesses in this particular any very extraordinary advantages over many other portions of the State. The petitioners appear to be deeply affected with the importance of education, and no doubt supposed that our officers themselves might be benefited by proximity to literary institutions. Indeed upon this want of means of education they appear to possess most commendable zeal and public spirit, and the committee were somewhat surprised that the petitioners did not conclude in

reference to this subject, in the pathetic language of a celebrated public officer on another occasion, "our sufferings is intolerable." As to the "agricultural productiveness" of the *city of Utica*, your committee have no reason to call in question the statement of the petitioners; but as to the cheapness of living the committee are of opinion that at the present day but little difference obtains between the different parts of the State; though they are inclined to the opinion that transient persons or permanent boarders are better accommodated for a given sum in the city of New-York, than at any other place in the State. This inquiry, however, in the opinion of your committee, is of but little consequence in the discussion of the question of removing the State capital to Utica.

The petitioners next urge as a reason why the capital should be removed to Utica, "that the county of Oneida, in which Utica is situated, has long been distinguished for the fertility of its soil, the extent of its manufactures, the *number*, the *morality*, the intelligence, and enterprise of its citizens; and if to these be added the natural beauties of the situation of Utica itself," the petitioners "are persuaded that it offers inducements for a permanent location of the capital within its limits, unsurpassed by any other spot in the State." Until your committee had read and reflected upon this portion of the matter set forth by the petitioners, they were almost inclined to the opinion that the petition itself, although signed by fifty-six of the inhabitants of Chatauque county, was the production of some gentleman in the city of Utica, but as it is fair to presume that the citizens of Utica are no less distinguished for their *modesty* than for their "*numbers*, morality and intelligence," your committee would by no means charge upon that city, or any of its citizens, the authorship of said petition.

The petitioners further set forth as a good and sufficient reason why the capital should be removed to Utica, that on account of "its convenience for the transaction of public business, it has generally been selected by our public conventions for the place of their meetings." Your committee can readily perceive why some central point of the State should ordinarily be selected as the proper place for the meetings of conventions, where each individual pays his own expenses, and where the business to be transacted is understood beforehand, and is confined to a single specific object. No analogy whatever exists between the business of the Legislature and that of a political, agricultural or moral convention. And the reasons which suggest and induce the latter to meet at Syracuse, Herkimer or Utica, on account of their central position, are entirely inapplicable to the former.

Certain statistical facts are next urged by the petitioners as reasons for the removal of the capital from Albany to Utica. The petitioners say, that "according to the present apportionment of the members of the State Legislature, seventy-two members reside within one hundred miles of Utica, while only fifty-seven reside within the same distance of Albany." Of the county seats of the several counties of the State, the petitioners say, "thirty-four are nearer to Utica than Albany, and twenty nearer Albany than Utica." And they add, that the "aggregate difference in favor of Utica from the different county seats, is more than eleven hundred miles," and the number of acres of land in those counties nearer Utica than Albany, amounts to more than twenty millions, while the number of acres nearer Albany than Utica, amount to but about eight millions. As to a majority of the members of Assembly residing nearer to Utica than Albany, your committee will see how far this ought to be considered, in a subsequent part of this report; and as to the additional number of acres of land in the vicinity of Utica, your committee cannot conceive that that is of much consequence in the discussion of this subject. If it were the business of the Legislature to visit all the farms in the State, and to personally examine the forests and wild lands enumerated in the statement of the petitioners, the argument might have some force. But this is not the business of the Legislature; nor would the fact of their meeting in the very centre of the "acres" of land in the State, in any way facilitate the discharge of their public duties.

The next reason assigned by the petitioners is, "that the great arteries of communication from every quarter of the State, must pass through the city of Utica." The petitioners then go on to enumerate a number of rail-roads and canals which pass through or terminate at this point. They seem to have overlooked the fact that these great arteries of communication *from* every part, which will pass through Utica, will also pass through and communicate with every other important part of the State. So that Utica in fact possesses no advantage in this respect over any other place accessible by rail-roads or steam-boats.

The last reason urged by the petitioners in favor of the removal of the capital to Utica is, that various turnpikes terminate at or pass through Utica, "which now and in all future time," say the petitioners, "will be *unsurpassed*." This argument in favor of the removal to Utica on account of the turnpike roads, your committee do not think is entitled to very grave consideration. They would not, however, dispute or call in question the statement. No doubt these turnpike roads will in

all future time remain as one of the local advantages possessed by that city which will be "unsurpassed" by any other place; but it appears to your committee that it ought to have just about as much weight, as if the village of Syracuse were to urge as a reason for a removal to that place, that it contained an abundance of salt, which in its quantity and quality in "all future time will be unsurpassed."

Having thus very briefly glanced at the reasons which have been urged in favor of removing the capital to Utica, and perceiving no sufficient grounds for recommending its removal to that place, your committee will leave the subject of the *petition*, and pass to the consideration of the other branch of the subject submitted to them by the following *resolution*:

"*Resolved*, That a select committee be appointed to inquire into the expediency of changing the location of the seat of government of this State, and that they report thereon to this or the next House of Assembly."

Upon this resolution a difference of opinion existed in the minds of the committee, and a minority submit for the consideration of the House a few brief reasons why it would be expedient that the capital should be removed. In the former part of this report it was shown that the proper considerations for fixing the location of the State buildings, were not those relating to territorial centre, but those of public policy, public interest and public utility. It certainly cannot be denied, that the location of the seat of government of any State should be nearest the source of information and intelligence, both foreign and domestic. These are objects which vitally affect all legislation, and on which materially depends the facility and character of the public administration of justice and the laws. Again, real and personal estate, which are necessarily constant objects of legislative action, should be easily accessible to public functionaries, and as near the point of supervision as practicable. State legislation should be as contiguous to the wants of the people as possible, and wherever population is the most active, or private and corporate enterprise the most useful and most frequent, there will be required most frequently the exercise of public power, public justice and public patronage. And it is with reference to all these subjects of consideration that the undersigned would urge the removal of the State buildings, not still further west, as with a superficial view it might be supposed, but yet further south. The most central part of the State, considered merely as to its surface, is un-

doubtedly much further west than Albany, but this consideration alone has already been shown to be insufficient to control the location of its capital.

In regard to population, it will be seen by a reference to proper documents, that south of Albany, and including the two adjoining counties, there are about one million of inhabitants; while the amount of public business, of moneyed capital, of personal property and real estate is conclusively in favor of a location still further south than Albany. If the amount of property to be affected by legislation, and the greater interest thereby felt in the acts of the State administration, are to be objects of consideration in the removal of the State capital, then too would the demand for a more southern location than the present, appear of paramount importance. Of the value of personal estate, the city of New-York alone possesses *ten millions more than the whole State besides*. Moreover, the value of real estate in the city of New-York is more by ten millions, than the proportion of one to two and a half throughout the State; and of the *connected aggregate valuation of real and personal property, it is nearly one-half of that of the whole State*.

In the opinion of the minority of the committee, the city of New-York possesses all the necessary and peculiar requisites for the seat of government of this great State; and in their opinion, no other city or town within its limits, combines all the requisites which it is desirable for the public good and public convenience should be concentrated at the seat of the State government. The great commercial metropolis of the Union, as well as of the State; the point of destination of all the agricultural and mechanical products of the country; the source of foreign and domestic intelligence, of enterprise, and of benevolence; the mart of trade for all nations; the very heart and centre of commercial attraction to all lands; the city of New-York stands at once the pride and the glory of the Empire State, and the wonder and the admiration of the whole world.

The city of New-York, will, upon the completion of the New-York and Albany rail-road, and the extension of the communication by rail-roads westward to the city of Buffalo, be accessible from all points of the State at a comparatively trifling expense, and within an almost incredibly short space of time. Albany and New-York will be brought within about seven hours of each other; New-York and Utica within about twelve hours; and New-York and Buffalo within about twenty-five or thirty hours. All the improvements which are going on in the State, unite with some one of the main arteries of communication which

lead to New-York, so that from all quarters the city of New-York can be reached with ease and facility; and the fact of a few more members of the Assembly residing some miles nearer to one point than to another, would seem to be hardly worth considering. At all seasons of the year, in the city of New-York, may be found citizens from every county of the State. If the business of making laws were transacted at this place, there would rarely be an instance of a law passing without more or less of the inhabitants of each of the counties of the State knowing all about it; and if an improper measure should be presented, it would be instantly discovered, and would as instantly excite the attention of the people.

A writer over the signature of Hamilton, published a few days since, in one of our newspapers, an article upon this subject, from which it is not deemed improper to make an extract in this place. He says that "the contemplated removal of the seat of government from the city of Albany, is a measure of vital importance to the prosperity of this great State. That it must take place, sooner or later, seems to be admitted by all reflecting persons. The only question which divides the public mind is, its future location. The nations of Europe have, from the earliest periods, pursued a wise, obvious and consistent rule on this subject, to which they have adhered with pertinacity for centuries. They have uniformly made their *capital city* their seat of legislation. Here they may find, for many reasons, the heart, whose pulsations can be made to reach the remotest regions of the State. In the United States, we have been remarkable for a studied departure from this rule. Among us, convenience of access has uniformly governed the decision on this subject. This is a sound rule enough where the greater portion of the country is a wilderness, but with that fact, its wisdom and propriety ceases. We have now clearly reached that period, in this State, when this consideration must yield to others of a more cogent character. Rail-roads and steam navigation have caused, or may cause, any point which may be selected as a capital to be abundantly accessible. It is, therefore, no longer wise to seek central situations, to the neglect of rational motives, leading to the adoption of the example of all civilized States. I am for the removal of the seat of government to the city of New-York, the *true capital* of the State. And the motives for this preference are obvious, and are to be found in the objections which have ever existed, and must always exist, to legislation at a distance from that quarter where the wealth and intelligence of the State, are to the greatest degree centered. How much crude and pernicious legislation have we experienced, since the seat of government has been removed to Albany.

How many bills have passed into laws there, before the fact of their introduction has been known, even to the intelligent portion of the community here. Indeed, in the very introduction of the system of the Revised Laws, condemned, with a few exceptions, as that system now is, by all learned and intelligent men, how complete a revolution has crept almost unobserved upon the State. Such things may happen in a country town or limited city, but can never happen under the inquiring eyes of the thousands assembled in the real capital of the country.

“Look to the land of our fathers—look to England. Is her capital central? Is her capital the city of most convenient access? Is it not the heart of the realm? The true physical capital of the country? Has she not been, from the earliest period, remarkable for the wisdom of her laws? Do they not instantly, when proposed, attract public attention, and are not the interests of all classes freely consulted before they are passed? To what cause is this to be ascribed? Plainly to this, that in the real and national capital of a country there is always to be found a full representation of every interest, commercial, agricultural, mechanical or professional. Should it be now proposed in England, to remove its capital to a more central position, by the convenience of access, would such proposition find an advocate there, or a wise man who would favor it here? Clearly not.

“I am therefore in favor of retracing our steps. We no longer inhabit a howling wilderness—let us, therefore, lay aside the ideas belonging to that state of things, and assume the dignity of a civilized people, by making our physical and legal capital the same.”

The commercial capital of the State seems to be the peculiarly appropriate place for the annual meetings of the representatives of the people. It is here that the fluctuations in the money market are first discovered, and their causes best understood: It is here that the rise or depression in the staple commodities of the nation are soonest felt, and the *causes* of such rise or fall soonest ascertained: It is here that the effects of a change in commercial or legislative policy of the State can be most accurately calculated upon, and most vigorously and efficiently carried out. All kinds of knowledge useful and necessary for a legislator, may here be readily acquired. At this place the important subjects of State policy are the daily topic of conversation and discussion; in the streets and on change, and by citizens and strangers. Every section of the State is here represented; the interests, the resources, the wants of all sections can here be most speedily communicated to the different mem-

bers of the great family of which the State is composed. In a word, were the city of New-York the political capital, as well as the commercial metropolis, she would be politically to the State, what the *Spectator* so eloquently depicts London to be to the world. "It gives me a secret satisfaction, (*Paper* 69,) and in some measure, gratifies my vanity, to see so rich an assembly of countrymen and foreigners consulting together upon the private business of mankind, and making this metropolis a kind of *emporium* for the whole earth. I must confess I look upon High Change to be a great council, in which all considerable nations have their representatives. Factors in the trading world are what ambassadors are in the public world: they negotiate affairs, conclude treaties, and maintain a good correspondence between men that are divided from one another by seas and oceans, or live on the different extremities of a continent. I have often been pleased to hear disputes adjusted between an inhabitant of Japan and an alderman of London, or to see a subject of the Great Mogul entering into a league with one of the Czar of Muscovy. There are not more useful members in a commonwealth than merchants. They knit mankind together in a mutual intercourse of good offices, distribute the gifts of nature, find work for the poor, and add magnificence to the great." Indeed it can hardly be questioned, that if our legislative meetings were held in the city of New-York, the jealousies, the sectional feelings, and the contracted views which govern in too many instances, would give place to more liberal sentiments, and to more generous and dignified action. The same gentleman who could vote for a navigable canal from the village of Delta, in the county of *Oneida*, would perhaps not see so many constitutional objections, and have such conscientious scruples when called upon to aid in important improvements in some other portions of the State.

The undersigned has not deemed it of importance to say any thing in relation to the property owned by the State at the city of Albany. The Capitol itself has long been deemed not less wanting in architectural beauty, than in commodiousness and adaptation. The new State offices, however, are alike creditable to the State and to the gentlemen under whose supervision they were constructed. If it should be deemed expedient to change the capital of the State to the city of New-York, there are no fears but that the State would be commodiously and tastefully accommodated without incurring any expense. For other reasons which might be urged in favor of removing the capital to New-York, the undersigned would refer to the able and eloquent report upon this

subject, made yesterday by Mr. Davis, one of the representatives from the city and county of Albany, and a member of the select committee.

The undersigned concludes with offering for the consideration of the House the following resolution:

Resolved, That it is expedient to remove the capital of the State from Albany to the city of New-York.

THOMAS McELRATH.

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